

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BIRMINGHAM-JEFFERSON COUNTY)	
TRANSIT AUTHORITY, et al.)	
)	
v.)	NO. 3:09-0304
)	JUDGE CAMPBELL
DAVID J. BOATRIGHT)	

ORDER

This case is set for a bench trial on July 27, 2010, beginning at 9:00 a.m. Counsel for the parties shall appear for a Pretrial Conference in this Court on July 19, 2010, at 9:00 a.m. All lawyers who will participate in the trial must attend the pretrial conference.

Counsel shall submit a Joint Proposed Pretrial Order to the Court by July 12, 2010. The Pretrial Order shall contain: (1) a recitation that the pleadings are amended to conform to the Pretrial Order and that the Pretrial Order supplants the pleadings; (2) a statement of the basis for jurisdiction in this Court; (3) a short summary of the Plaintiff's theory (no more than one page); (4) a short summary of the Defendant's theory (no more than one page); (5) a statement of the issues; (6) a succinct statement of the relief sought; (7) a summary of any anticipated evidentiary disputes; and (8) an estimate of the anticipated length of the trial.

The parties shall also submit to the Court, by witness lists, except for witnesses solely for impeachment in accordance with Fed. R. Civ. P. 26(a)(3); exhibit lists, except for documents solely for impeachment in accordance with Fed. R. Civ. P. 26(a)(3); and any stipulations.

By July 2, 2010, the parties shall file any motions in limine and any motions objecting to expert testimony. Any responses to such motions shall be filed by July 12, 2010.

Expert witness disclosures shall be made timely, in accordance with Local Rule 39.01(c)(6)d.


Responses to interrogatories, requests for production and requests for admissions shall be made timely in accordance with Local Rules 33.01(c), 34.01 and 36.01. The Court may exclude evidence, or order other sanctions, for violation of a duty or deadline to make or supplement expert witness disclosures or discovery responses.

Counsel shall be prepared, at the Pretrial Conference, to:

- (1) identify and discuss undisputed facts and issues;
- (2) discuss the status of discovery;
- (3) preview proposed testimony;
- (4) discuss expert testimony;
- (5) preview proposed exhibits;
- (6) discuss motions in limine; and
- (7) discuss settlement.

The parties shall file pretrial briefs with the Court at least one week before the trial.

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE